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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,585	10/31/2001	Mark D. Seaman	10008309 - 1	1949

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EXAMINER

JELINEK, BRIAN J

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,585

Applicant(s)

SEAMAN ET AL.

Examiner

Brian Jelinek

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/7/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-24 and 38-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-24 and 38-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/10/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

The Examiner respectfully submits a response to the amendment received on 3/7/2005 of application no. 10/001,585 filed on 10/31/2001 in which claims 12-24, and 38-53 are currently pending.

Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 12, 19, 23, 46, and 50 are objected to because of the following informalities: the claim language indicates associating the bookmark and captured image data such that the captured image may be ordered. The claim language "such that...may be..." renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-14, 16, 18-20, 22-24, 40, 44, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Pat. No.6,337,951), in view of Steinberg et al. (U.S. Pat. No. 6,750,902), and further in view of Nicholson (Int. Pub. No. WO 01/20489).

Regarding claim 12, Nakamura discloses a system which receives event bookmarks comprising: an image capture device that captures at least one image of an event (Fig. 1, element 20); a receiver (Fig. 1, element 29) residing in the image capture device and configured to receive an event bookmark broadcasted by an event bookmark broadcaster (Fig. 1, element 10); and a processing device configured to associate the received event bookmark with the captured image (Fig. 1, element 21). Nakamura does not disclose the camera comprises a transceiver; and associating the captured image with information corresponding to a time at which the image is captured, such that the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices.

However, Steinberg discloses a camera comprises a transmitter (Fig. 1, element 44). One of ordinary skill in the art would have provided a camera with a transmitter in order to send image data to a network or a computer (col. 1, lines 54-59). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a camera with a transmitter in order to send image data to a network or a computer.

Furthermore, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the

captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time (Abstract, lines 6-8). One of ordinary skill in the art would have provided a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time, in order to review images relating to specific events (Page 4, par 2). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a system associating captured images with information corresponding to a time at which the image is captured, such that the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices in order to review images relating to specific events.

Regarding claim 13, Nakamura discloses the processing device further comprising a processor configured to execute logic such that the received event bookmark is associated with the at least one captured image (Fig. 3, Data Pick-up and Record Main Data).

Regarding claim 14, Nakamura discloses a memory residing in the image capture device, the memory configured to store the received event bookmark such that the event bookmark is associated with at least one subsequently captured image (Fig. 3, Data Pick-up and Record Main Data).

Regarding claim 16, Nakamura discloses an antennae coupled to the transceiver and configured to detect radio frequency (RF) signals having the event bookmark (Fig. 1, element 29).

Regarding claim 18, Nakamura discloses an infrared sensor coupled to the transceiver and configured to detect infrared signals having the event (col. 7, lines 37-42).

Regarding claim 19, please see the rejection of claim 12.

Regarding claim 20, please see the rejection of claim 14.

Regarding claim 22, Nakamura discloses communicating the captured image of interest and the associated event bookmark to an image data manager (Fig. 7, element 66).

Regarding claim 23, Nakamura teaches a computer readable medium having a program for associating an event bookmark with a captured image (Fig. 1, element 21; col. 1, lines 59-65), the program comprising logic configured to perform the steps of: receiving an event bookmark (col. 4, lines 16-20); receiving a captured image of interest from an image capture device (col. 4, lines 1-26); associating the captured image of interest with the received event bookmark (col. 4, lines 1-26); and storing the captured image of interest and the associated event bookmark in a memory (col. 4, lines 1-26).

Nakamura does not disclose associating the captured image with information corresponding to a time at which the image is captured, such that the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices.

However, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image

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annotations (Page 4), such as time (Abstract, lines 6-8). One of ordinary skill in the art would have provided a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time, in order to review images relating to specific events (Page 4, par 2). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a system associating captured images with information corresponding to a time at which the image is captured, such that the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices in order to review images relating to specific events.

Regarding claim 24, Nakamura discloses logic configured to perform the steps of: storing in the memory a most recently received event bookmark (col. 4, lines 16-20); and retrieving the most recently received event bookmark from the memory in response to the step of receiving the captured image, such that the most recently received event bookmark is associated with the received captured image of interest (col. 4, lines 20-26).

Regarding claim 40, Nakamura discloses the received event bookmark comprises meta-data (Fig. 2, Title Data) that corresponds to a predefined occurrence in the event (Fig. 6A) because the lion is a user predefined occurrence in the event since the user designates the lion for image capture. Nakamura does not disclose the captured image may be further ordered in a time sequence with the plurality of other images captured based upon the predefined occurrence in the event.

However, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time (Abstract, lines 6-8). One of ordinary skill in the art would have provided a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time, in order to review images relating to specific events (Page 4, par 2). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have ordered captured images in a time sequence with the plurality of other images captured based upon the predefined occurrence in the event.

Regarding claim 44, please see the rejection of claim 40.

Regarding claim 46, Nakamura discloses a system which receives event bookmarks comprising: an image capture device that captures at least one image of an event (Fig. 1, element 20); a receiver residing in the image capture device and configured to receive an event bookmark broadcasted by an event bookmark broadcaster (Fig. 1, element 29), the event bookmark comprising meta-data (Fig. 2, Title Data) relating to at least one predefined occurrence in the event (Fig. 6A) because the lion is a user predefined occurrence in the event since the user designates the lion for image capture; and a processing device configured to associate the received event bookmark with the captured image (Fig. 1, element 21). Nakamura does not disclose the camera comprises a transceiver; and the captured image may be grouped with at

least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data.

However, Steinberg discloses a camera comprises a transmitter (Fig. 1, element 44). One of ordinary skill in the art would have provided a camera with a transmitter in order to send image data to a network or a computer (col. 1, lines 54-59). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a camera with a transmitter in order to send image data to a network or a computer.

Furthermore, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4). One of ordinary skill in the art would have provided a system wherein the captured image may be grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data in order to review images with text annotation relating to specific events (Page 4, par 2). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provide a system wherein the captured image may be grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by

the meta-data. Although Nakamura discloses the camera comprises a receiver, Nakamura does not disclose the camera further comprises a transmitter.

Regarding claim 47, Nakamura discloses the meta-data comprises descriptive information corresponding to the occurrence at the event (Fig. 2).

Regarding claim 48, Nakamura discloses the meta-data comprises a sequence of alphanumeric characters, wherein one of the alphanumeric characters corresponds to the occurrence at the event (Fig. 2, Title Data).

Regarding claim 49, Nakamura does not disclose the meta-data comprises time information, wherein the time information permits identification of the occurrence at the event. However, Nicholson discloses the meta-data comprises time information, wherein the time information permits identification of the occurrence at the event (Abstract, line 8). One of ordinary skill in the art would have provided meta-data comprising time information in order to retrieve images by entry of various identification parameters such as time (Abstract, lines 6-8). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided meta-data comprising time information, wherein the time information permits identification of the occurrence at the event in order to retrieve images by entry of various identification parameters such as time.

Claims 15, 21, 41-43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Pat. No.6,337,951), in view of

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Steinberg et al. (U.S. Pat. No. 6,750,902), in view of Nicholson (Int. Pub. No. WO 01/20489), and further in view of Honda et al. (U.S. Pat. No. 5,296,884).

Regarding claim 15, Honda discloses a clock residing in the image capture device, the clock configured to generate a time stamp such that the time stamp is associated with the at least one subsequently captured image and the event bookmark (col. 5, lines 6-23, receiving time data). One of ordinary skill in the art at the time of the invention would have provided a camera with the ability to determine a receiving time data for the purpose of determining the location where a picture was taken (col. 4, lines 33-36). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a clock residing in the image capture device, the clock configured to generate a time stamp such that the time stamp is associated with the at least one subsequently captured image and the event bookmark, for the purpose of determining the location where a picture was taken.

Regarding claim 21, please see the rejection of claim 15.

Regarding claim 41, Honda discloses the time stamp corresponds to a period of time between image capture and receipt of the event bookmark (col. 5, lines 6-23) because the difference between the receiving time data and the transmission time data is calculated in order to determine a photographing location.

Regarding claim 42, Honda discloses detecting an event bookmark comprising a time stamp that corresponds to a time that the event bookmark was broadcast to the image capture device (col. 5, lines 6-23, transmission time data).

Regarding claim 43, Honda discloses generating a clocking device time stamp (col. 3, line 63-col. 4, line 4, time data) such that the captured image may be further ordered in a time sequence with the plurality of other images captured based upon the received event bookmark time stamp and the clocking device time stamp.

Regarding claim 45, Honda discloses the time stamp corresponds to a period of time between image capture and receipt of the event bookmark (col. 5, lines 6-23) because the difference between the receiving time data and the transmission time data is calculated in order to determine a photographing location.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Pat. No. 6,337,951), in view of Steinberg et al. (U.S. Pat. No. 6,750,902), in view of Nicholson (Int. Pub. No. WO 01/20489), and further in view of Mauro et al. (U.S. Pat. No. 5,634,144).

Regarding claim 17, Nakamura discloses the data sender sends scene data via radio or infrared waves (Fig. 7, element 37-42). Nakamura does not teach that communication with the camera may comprise an optical sensor coupled to the transceiver and configured to detect optical signals.

However, Mauro et al. teaches communication with the camera may comprise an optical sensor coupled to a transceiver and configured to detect optical signals (Fig. 2, elements 52 and 110; col. 4, line 57-col. 5, line 2). One of ordinary skill in the art would have provided an optical sensor coupled to the transceiver and configured to detect optical signals for the purpose of enabling communication with the camera using

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elements of a light beam auto-focus system already provided in the camera (col. 4, lines 57-60). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided an optical sensor coupled to a transceiver and configured to detect optical signals for the purpose of enabling communication with the camera using elements of a light beam auto-focus system already provided in the camera.

Claims 50-53 are is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Pat. No.6,337,951) in view of Nicholson (Int. Pub. No. WO 01/20489).

Regarding claim 50, Nakamura discloses a method for receiving event bookmarks, the method comprising: receiving an event bookmark broadcasted from an event bookmark broadcaster (Fig. 1, element 10), the event bookmark comprising meta-data (Fig. 2); capturing an image of interest with an image capture device (Fig. 3, Exposure); and associating the captured image of interest with the detected event bookmark (Fig. 6A). Nakamura does not disclose that the captured image may be grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data.

However, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image

annotations (Page 4). One of ordinary skill in the art would have provided a system wherein the captured image may be grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data in order to review images with text annotation relating to specific events (Page 4, par 2). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provide a system wherein the captured image may be grouped with at least one other image captured at the event by at least one other image capture device, the grouping based upon the predefined occurrence in the event which is identifiable by the meta-data. Although Nakamura discloses the camera comprises a receiver, Nakamura does not disclose the camera further comprises a transmitter. Official Notice is given that one of ordinary skill in the art would have configured a camera with a transmitter, in addition to a receiver, in order to transfer captured images to an external device for viewing or editing. As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the camera with a transceiver in order to transfer captured images to an external device for viewing or editing.

Regarding claim 51, Nakamura discloses storing in the memory a most recently received event bookmark (Fig. 3, Data Pick-up); and retrieving a most recently received event bookmark from the memory in response to the step of receiving the captured image, such that the meta-data of the most recently received event bookmark is associated with the received captured image of interest (Fig. 3, Record Main Data).

Regarding claim 52, Nakamura discloses storing the event bookmark in a memory residing in the image capture device (Fig. 3, Data Pick-up); capturing a second image of interest with an image capture device (Fig. 3, element Exposure); and retrieving the event bookmark from the memory in response to the step of capturing the second captured image, such that the meta-data of the second image is associated with the meta-data (Fig. 3, Record Main Data), and such that the second image may be grouped with the previously captured image and the other image captured at the event by the other image capture device.

Regarding claim 53, Nakamura discloses receiving a second event bookmark broadcasted from an event bookmark broadcaster (Fig. 3, Data Pick-up), the event bookmark comprising second meta-data capturing a second image of interest with an image capture device (Fig. 3, Exposure); and associating the second captured image of interest with the detected second event bookmark (Fig. 3, Record Main Data), such that the captured image may be grouped with another image captured at the event by the other image capture device, the second grouping based upon a second predefined occurrence in the event which is identifiable by the second meta-data.

Claims 12, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honda et al. (U.S. Pat. No. 5,296,884), in view of Steinberg et al. (U.S. Pat. No. 6,750,902), and further in view of Nicholson (Int. Pub. No. WO 01/20489).

Regarding claim 12, Honda discloses a system which receives event bookmarks (GPS coordinates) comprising: an image capture device that captures at least one

image of an event (Fig. 1, element 30); a receiver residing in the image capture device and configured to receive an event bookmark broadcasted by an event bookmark broadcaster (Fig. 3, element 10); and a processing device configured to associate the received event bookmark with the captured image (col. 2, lines 20-27) and with information corresponding to a time at which the image is captured (col. 3, line 64-col. 4, line 5). Honda does not disclose the camera comprises a transmitter; and the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices.

However, Steinberg discloses a camera comprises a transmitter (Fig. 1, element 44). One of ordinary skill in the art would have provided a camera with a transmitter in order to send image data to a network or a computer (col. 1, lines 54-59). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a camera with a transmitter in order to send image data to a network or a computer.

Furthermore, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time (Abstract, lines 6-8). One of ordinary skill in the art would have provided a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time, in order to review images relating to specific events (Page 4, par 2). As a result, it

would have been obvious to one of ordinary skill in the art at the time of the invention to have provided a system associating captured images with information corresponding to a time at which the image is captured, such that the captured image may be ordered in a time sequence with a plurality of other images captured by other image capture devices in order to review images relating to specific events.

Regarding claim 38, Honda discloses the received event bookmark comprises a time stamp that corresponds to a time that the event bookmark was broadcast to the image capture device (col. 5, lines 6-23, transmission time data).

Regarding claim 39, Honda discloses a clocking device that generates another time stamp (col. 3, line 63-col. 4, line 4, time data). Furthermore, Honda discloses searching according to time and location (col. 6, lines 22-50). Honda does not disclose ordering in a time sequence with the plurality of other images captured based upon the received event bookmark time stamp and the clocking device time stamp.

However, Nicholson discloses a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time and location (Abstract, lines 6-8; Page 2, line 2). One of ordinary skill in the art would have provided a system that receives images from plural cameras, wherein the images are annotated with text containing details about the captured images and the images are indexed and retrieved according to the image annotations (Page 4), such as time and location, in order to review images relating to specific events or places (Page 4, par 2).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

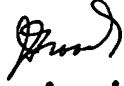
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (571) 272-7366. The examiner can normally be reached on M-F 8:00 am - 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached at (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian Jelinek
5/2/2005


James J. Groody
Supervisory Patent Examiner
Art Unit ~~262~~ 2615